

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in light of the amendments made to the claims and the remarks made herein.

Claims 1-26 are pending. Claims 1, 3, 6, 16, and 21-26 stand rejected. Claims 7-9 and 17-20 are allowed. Claims 2, 4, 5, and 10-15 are objected to.

Claims 2, 4, 6, 10, 19, 21 and 24 have been amended. No new matter has been added.

The examiner has objected to the drawings. More specifically, in Fig. 13 the reference number 1310 is duplicated.

Applicant thanks the examiner for his observation and has provided, in Appendix A, an amended Fig. 13, appropriately labeled "Replacement Drawing," which removes the duplicate label 1310. No new matter has been added as the label 1310 was incorrectly duplicated in referring to the same element when formal drawings were submitted in a letter to the Official Draftsman on April 24, 2002. Included, in Appendix B for the examiner's reference, is an annotated copy of the Fig. 13 showing the amendments made, in red, and in Appendix C the originally filed drawing Fig. 13.

Having amended the drawings appropriately, applicant believes that the reason for the examiner's objection is not longer applicable. Applicant respectfully requests that the amended Fig. 13 be entered and the objection withdrawn.

The examiner has objected to the specification for containing informalities.

Applicant thanks the examiner for his observation and has amended the specification as suggested by the examiner. Applicant respectfully submits that the reason for the examiner's objection to the specification has been overcome. Applicant respectfully requests that the amendment to the specification be entered and withdrawal of the objection.

Claim 6 is rejected under 35 USC §112, first paragraph as failing to comply with the written description.

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claim as the subject matter recited in claim 6 is clearly recited in the written description. More specifically, page 45, lines 4-9, states "there will be some latency in the feedback of the first stage equalizer 1310. This latency is denoted by the letter d. Then

Equation (2) will be modified as follows: ... This implies that post echoes that are d samples away from the main path will not be equalized by the feedback portion of the first stage equalizer.” Hence, one skilled in the art would recognize that echoes within “d” samples would be equalized by the feedback portion of the first stage equalizer. Hence, the written description provides adequate support for one skilled in the art to practice the subject matter recited in claim 6.

Having shown that the specification provides adequate support for the subject matter recited in claim 6, applicant submits that the reason for the examiner rejection has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

Claims 21-26 are rejected under 35 USC §112 first paragraph because the claims do not properly define either the method or the apparatus disclosed.

Applicant respectfully disagrees with and explicitly traverses the examiners rejection of the claims. Independent claim 21 recites:

21. For use in a receiver capable of decoding trellis encoded signals, a method for reducing error in a two stage decision feedback equalizer comprising the steps of:
 obtaining an estimate of a symbol stream using a first stage equalizer comprising a first forward equalizer filter, a first decision feedback equalization filter, and a trellis decoder; and
 providing said estimate of said symbol stream to a second stage equalizer comprising a second forward equalization filter and a second decision feedback equalization filter;
 minimizing error in said second stage equalizer using decisions from said trellis decoder

Claim 21, thus, recites method steps for decoding trellis encoded signals and further recites which element in the structure described in the written description that performs the specific method steps. Claim 22 recites a step of canceling pre-echoes in the second stage equalizer. Claims 23-26 recite similar method steps and the device or element that performs the recited method steps. Hence, Claims 21-26 collectively recite a method for decoding trellis encoded signals, the individual steps to perform the method and which element in the disclosed structure that the methods steps are performed in.

Accordingly, the method claim recited is in an appropriate form.

Having shown that claims 21-26 appropriately define a method claim applicant submits that the reason for the examiner's rejection of the claims has been overcome. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claims 1 and 16 and 3 [?] are rejected under the judicially created doctrine of obviousness-type double patenting over claims 1 and 3 of USP no. 6,734,920.

Applicant respectfully disagrees with the examiner. However, in order to advance the prosecution of this matter, applicant has elected to file a terminal disclaimer limiting the term of any patent that may issue from the instant application to correspond to the date of expiration of USP no. 6,734,920, independent of whether USP no. 6,734,920 is maintained for its entire term.

Claims 5 and 11-15 have been indicated to be allowable if rewritten to overcome the objection set forth in the instant Office Action. Further, claims 7-9 and 17-20 are allowed.


Applicant wishes to thank the examiner for the indication of allowable subject matter in the above referred to claims. However, for the amendments made to the claims and the remarks made herein, applicant believes that all the claims are in an allowable form and elects at this time not to amend the claims as suggested by the examiner. Applicant, however, reserves the right to amend the claims at a latter time.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: December 29, 2004

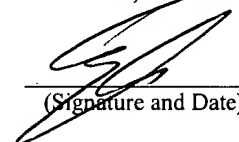

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14/16

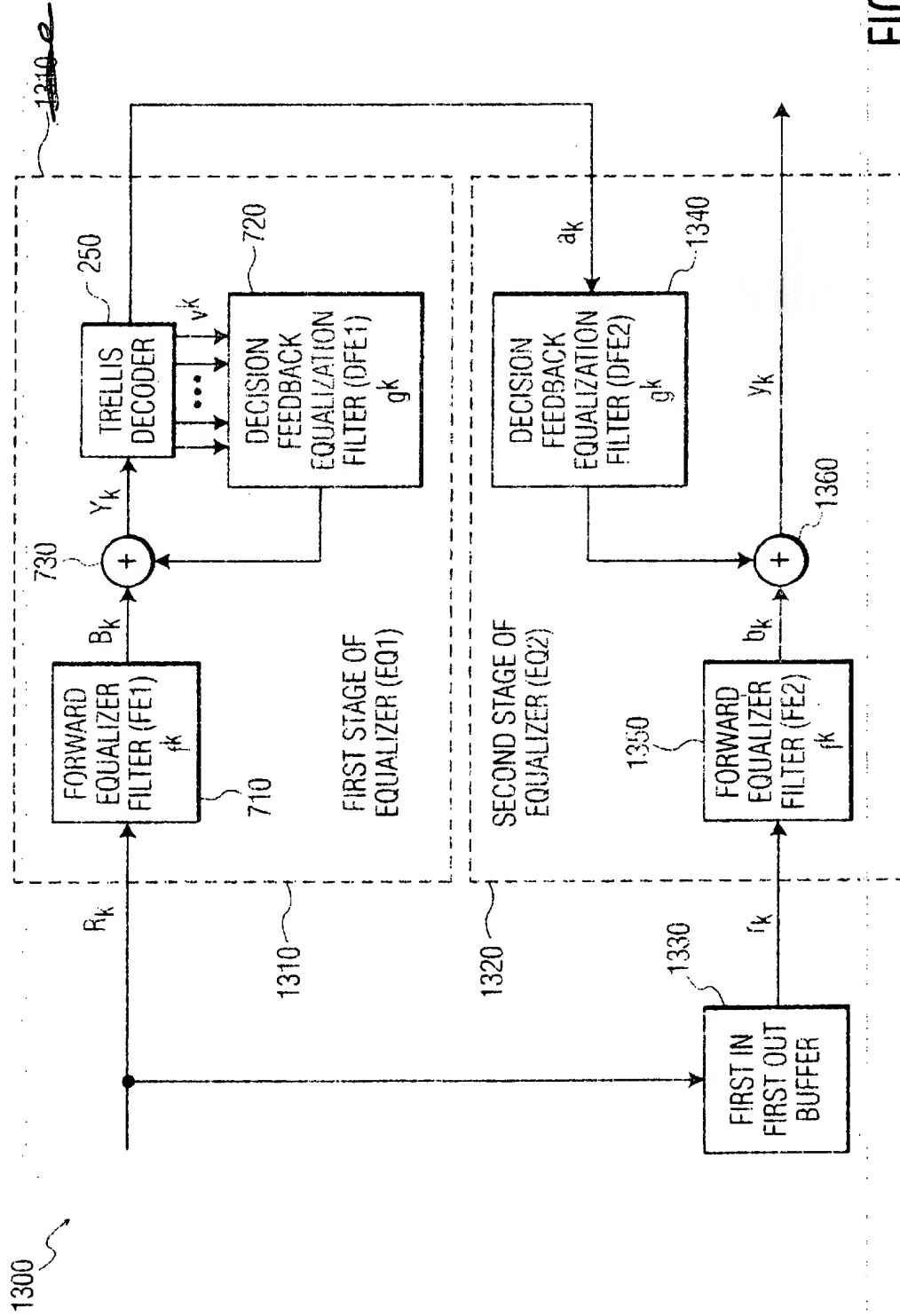


FIG. 13